

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:07CV232-1-T  
(1:04CR114)

JAMES HARVEY SMITH,	)	
	)	
Petitioner,	)	
	)	
v.	)	<u>JUDGMENT</u>
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
	)	

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For the reasons set forth in the Memorandum and Order filed  
herewith,

**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that  
the Respondent's motion for summary judgment is **ALLOWED**, the  
Petitioner's motion to vacate, set aside, or correct judgment pursuant to 28  
U.S.C. § 2255 is **DENIED**, and this matter is hereby **DISMISSED WITH  
PREJUDICE** in its entirety.

Petitioner is hereby placed on notice that no future motion pursuant  
to 28 U.S.C. § 2255 may be filed absent permission from the United States  
Fourth Circuit Court of Appeals.

Signed: June 26, 2008



Lacy H. Thornburg  
United States District Judge

